



State of South Carolina

Office of the Governor

MARK SANFORD
GOVERNOR

POST OFFICE BOX 12267
COLUMBIA 29211

June 4, 2007

The Honorable André Bauer
President of the Senate
State House, 1st Floor, East Wing
Columbia, South Carolina 29202

Dear Mr. President and Members of the Senate:

I am hereby vetoing and returning without my approval S. 657, R-64.

This bill creates the "South Carolina Critical Needs Nursing Initiative Act," to be administered by the Commission on Higher Education. However, the bill also includes codification of two unrelated budget provisos, pertaining to the South Carolina Department of Health and Environmental Control, which were bobtailed onto the bill during the legislative process.

My primary objection to this legislation is based on my opposition to bobtailing legislation. Bobtails are generally items simply tacked-on near the end of the legislative process, with little or no debate, to an unrelated bill that seems likely to pass.

For more than a century, the state's Constitution has included a requirement that legislation contain one subject and not include unrelated items. In this case, the bill amends three unrelated titles of South Carolina Code. Further, the underlying bill provides for the recruitment of teaching professionals, while the bobtailed amendments deal with pharmacy dispensing and retention of fees. The two bobtailed sections were originally budget provisos in the Fiscal Year 2007-2008 Appropriations Act but were struck out on points of order under Rule 24A of the Senate. These same two sections were added to S. 657 in the Senate, seemingly in contradiction of Rule 24A, which states, "In order to be germane, an amendment must be a natural and logical change or expansion directly related to the specific subject of the Bill...."

The underlying bill seeks to address our state's nursing teaching and nursing student shortage. While I believe the legislation is well-intended, it is also a piecemeal approach to addressing higher education priorities. According to the Office of State Budget, full implementation of this legislation will be at least \$35.9 million. In addition, there is a proposal to spend up to \$11 million in the FY 2007-2008 Appropriations Act increase funding for nursing education above what this legislation authorizes.

The Honorable André Bauer
June 4, 2007
Page 2

At the same time, little has been done to look at and reduce the duplication and overlaps in the higher education system that needlessly consume dollars that could be used to pay for this program. Currently, South Carolina spends the second highest amount on higher education as a percentage of our budget among Southeastern states. Nationwide, only six states dedicate a greater percentage of their budget to higher education than South Carolina. At the same time, South Carolina's in-state tuition is double that of Florida, Georgia, and North Carolina – three states that dedicate a smaller portion of their budgets to higher education.

There is proposed funding in the FY 2007-2008 Appropriations Act to establish a joint committee comprised of appointees from both the legislative and executive branches to develop a statewide higher education plan. In addition, hopefully the Committee will identify waste and duplication in the system so that we can reinvest those dollars into needed programs and toward the benefits of our students.

For the reasons stated above, I am vetoing S. 657, R-64, and returning it without my approval.

Sincerely,

A handwritten signature in dark ink, appearing to be 'Mark Sanford', with a stylized, flowing script.

Mark Sanford